IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FOURTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO: 24215 of 2004

Between:

D. Krishna Kumari, D/o. Biragi,
Prakasam Municipal U.P. School, Repalle, Guntur District.

.... PETITIONER

AND

1 The Government of Andhra Pradesh, Rep. by its Secretary,

Education Department, Secretariat, Hyderabad.
2 The Commissioner & Director of School Education, Andhra

Pradesh, Hyderabad.
3 The District Educational Officer, Guntur, Guntur District.
4 The Commissioner, Repalle Municipality, Repalle, Guntur

District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or orders or direction one in the nature of Writ of Certiorari after calling for the records relating to and connected with the judgment in

O.A.No.6164/2004 dated 10-11-2004 of the A.P. Administrative Tribunal and quash or set aside the same and consequently set aside the proceedings in Rc.No. 1105/2004-C2, dated 23-09-2004 of the 4th respondent by declaring it as illegal, arbitrary and violative of principles of natural justice and also violative of Articles 14, 16 and 21 of the Constitution of India besides without power, authority or jurisdiction and against to the rules in force.

Counsel for the Petitioner: MR.PEETARAMAN

Counsel for the Respondents: GP FOR EDUCATION

The Court made the following:

ORAL ORDER:- (PER GB,J.)

The Writ Petition is filed assailing the order, dated 10.11.2004 passed by the A.P. Administrative Tribunal in O.A.No.6164 of 2004.

2. The matter relates to transfer of the petitioner from Prakasam Municipal U.P. School, Repalle to Ambedkar Municipal Elementary School, Repalle.

3. It is the contention of the learned counsel for the petitioner that after the orders were issued, the District Educational Officer reviewed the matter and issued a letter dated 4.11.2004 requesting the Commissioner to cancel the transfer orders.

4. Inasmuch as the Tribunal has approved the transfer order, we leave it open to the Commissioner to take appropriate action on the basis of the letter, dated 4.11.2004 issued by the District Educational Officer, Guntur.

5. Accordingly, we dispose of the Writ Petition clarifying that it is open for the Commissioner to pass appropriate orders if he so chooses, basing on the letter of the District Educational Officer.

6. With this clarification the Writ Petition is disposed of. No costs.

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G. BIKSHAPATHY, J.

Date: 24.01.2005

B. SESHASAYANA REDDY, J.

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To

1 The Secretary, Government of Andhra Pradesh,

Education Department, Secretariat, Hyderabad.
2 The Commissioner & Director of School Education, Andhra

Pradesh, Hyderabad.
3 The District Educational Officer, Guntur, Guntur District.
4 The Commissioner, Repalle Municipality, Repalle, Guntur

District.

5 The Registrar, A.P. Administrative Tribunal, Hyderabad.

6 2 CCs to G.P for Services-I, High Court Buildings, Hyd.(OUT)